

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

A.E.S.E., *a minor child*, and EUSEBIO
DANIEL SABILLON PAZ, *her father*,

Plaintiffs,
v. No. 21-cv-569 RB/GBW

THE UNITED STATES OF AMERICA,

Defendant.

**UNITED STATES' UNOPPOSED MOTION TO EXTEND STAY OF
DISCOVERY AND RESET STATUS CONFERENCE**

The United States of America hereby moves to extend the current discovery stay by seven days and to reset the status conference currently scheduled for March 13, 2023. In support of this Motion, the United States provides the following information:

1. On February 7, 2024, the parties participated in a settlement conference before Magistrate Judge Karen B. Molzen. *See* ECF No. 173. As noted in the minutes from the conference, “Plaintiffs’ position is that there was a binding offer and acceptance, but that position is disputed by Defendant.” *Id.*
2. On February 9, 2024, Plaintiffs filed an unopposed motion to stay discovery for 30 days to allow the parties to continue discussions regarding the dispute, and for a status conference so that the parties could provide the Court with an update on the status of the case and their conversations. *See* ECF No. 174.
3. The Court granted the motion that same day and set a telephonic status conference for February 15, 2024, *see* ECF No. 175, which was later reset for

February 21, 2024, *see* ECF No. 178. Discovery is currently stayed through March 11, 2024. *See* ECF No. 175.

4. On February 21, 2024, the Court held a status conference during which the parties explained their respective positions and expressed their hope that they would be able to reach an agreed resolution. *See* ECF No. 180. At the parties' request, the Court set an additional status conference for March 13, 2024. *See* ECF No. 181.

5. Over the last two weeks, the parties have corresponded in an attempt to resolve this case without further court intervention. A settlement offer by the United States remains open.

6. The United States is currently in the process of responding to Plaintiffs' most recent correspondence and intends to provide Plaintiffs with a response by Tuesday, March 12, 2024.

7. In order to provide the parties sufficient time to prepare and evaluate their respective positions, the United States respectfully requests that the Court extend the stay of discovery by seven days, through March 18, 2024. Staying discovery is in the interest of judicial economy and conserving resources.

8. The United States also respectfully requests that the Court postpone the March 13, 2024, status conference until the following week.

9. The United States has conferred with counsel for the Plaintiffs, and Plaintiffs consent to the relief requested in this motion.

For the foregoing reasons, the United States respectfully moves the Court to extend the current stay of discovery until March 18, 2024, and to postpone the status conference currently set for March 13, 2024, until the following week.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 8, 2024, I filed the foregoing pleading electronically through the CM/ECF system, which caused counsel of record to be served electronically, as reflected on the Notice of Electronic Filing.

/s/ Juliana MacPherson Barrett
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Trial Attorney